

REMARKS/ARGUMENTS

Claims 1, 5-8, and 12-15 are amended herein. Claims 1-18 are pending in the application. No new matter has been added. Following discussion regarding patentability of the claims is directed toward the claims as amended herein. Reconsideration and reexamination is respectfully requested.

1. REQUIREMENTS FOR THE ABSTRACT:

In item 1 on page 2 of Paper No./Mail Date 2 which will be referred to herein as Paper 2 mailed 19 April 2004, Applicant was reminded of the requirements for the Abstract. The Abstract is amended herein to conform to the requirements indicated.

2. REJECTION OF CLAIMS 1-18 UNDER 35 U.S.C. § 112:

In item 3 on page 2 of Paper 2, claims 1-18 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being "indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Applicant respectfully traverses.

Regarding Rejection of Claims 1, 8, & 15 Under 35 U.S.C. § 112:

Paper 2 alleged that limitations associated with independent claims 1, 8, and 15 are "not positive limitations because Applicant does not provide concrete method steps for performing a function. For example, Applicant uses the phrase 'when', which in it self is an indefinite term, and Examiner questions what happens after 'when'. Applicants presented claims are vague and indefinite." Applicant respectfully traverses. The word "when" is used to introduce conditional steps. For example in claim 1, WHEN the CONDITION stated as "a first node is detected on a first port of a first switching device, wherein both the first node and the first switching device are connected to the network" is FULFILLED (i.e., is TRUE), the steps following this condition are performed. The steps subsequent to this condition are themselves conditional steps which are performed ONLY "when" the associated conditions are fulfilled. Similar statements can be made for claims 8 and 15. However, in deference to the Examiner, Applicant has amended claims 1, 8, and 15, to replace the word "when" with the word "if" which Applicant believes to be fully equivalent. Thus, Applicant believes that claims 1, 8, and 15 are clear, that a meaningful search regarding their patentability can be performed, and that claims 1, 8, and 15 allowable.

Regarding Rejection of Dependent Claims 5-7 & 12-14 Under 35 U.S.C. § 112:

In the first paragraph on page 3 of Paper 2, claims 5-7 and 12-14 were rejected as being dependent upon rejected base claims. Applicant respectfully traverses. Similar statements as those made above for independent claims 1, 8, an 15 can be made for claims 5-7 and 12-14. However, again in deference to the Examiner, Applicant has amended claims 5-7 and 12-14 to replace the word "when" with the word "if" which again Applicant believes to be fully equivalent.

Since claims 5-7 depend from independent claim 1 and, as stated above, Applicant believes that claim 1 is clear, that a meaningful search regarding its patentability can be performed, and that it is allowable, Applicant also believes that claims 5-7 are clear, that a

meaningful search regarding their patentability can be performed, and that claims 5-7 are allowable.

Further, since claims 12-14 depend from independent claim 8 and, as stated above, Applicant believes that claim 8 is clear, that a meaningful search regarding its patentability can be performed, and that it is allowable, Applicant also believes that claims 12-14 are clear, that a meaningful search regarding their patentability can be performed, and that claims 12-14 are allowable.

Regarding Rejection of Dependent Claims 2-4, 9-11 & 16-18 Under 35 U.S.C. § 112:

In the first paragraph on page 3 of Paper 2, claims 2-4, 9-11, and 16-18 were rejected as being dependent upon rejected base claims. Applicant respectfully traverses.

Since claims 2-4 depend from independent claim 1 and, as stated above, Applicant believes that claim 1 is clear, that a meaningful search regarding its patentability can be performed, and that it is allowable, Applicant also believes that claims 2-4 are clear, that a meaningful search regarding their patentability can be performed, and that claims 2-4 are allowable.

In addition, since claims 9-11 depend from independent claim 8 and, as stated above, Applicant believes that claim 8 is clear, that a meaningful search regarding its patentability can be performed, and that it is allowable, Applicant also believes that claims 9-11 are clear, that a meaningful search regarding their patentability can be performed, and that claims 9-11 are allowable.

Further, since claims 16-18 depend from independent claim 15 and, as stated above, Applicant believes that claim 15 is clear, that a meaningful search regarding its patentability can be performed, and that it is allowable, Applicant also believes that claims 16-18 are clear, that a meaningful search regarding their patentability can be performed, and that claims 16-18 are allowable.

3. CONCLUSION:

Entry of this amendment is respectfully requested. Applicant believes that all claims pending in the Present Application are allowable and that all other problems raised by the Examiner have been rectified. Therefore, Applicant respectfully requests the Examiner to reconsider his rejections and to grant an early allowance.

Respectfully submitted,

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